

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SKYLER DEAN FAWVER,

Plaintiff,

v.

NYE COUNTY SHERIFF'S OFFICE, et al.,

Defendants.

Case No.: 2:22-cv-00914-CDS-NJK

ORDER

[Docket No. 1]

On June 6, 2022, Plaintiff, a detainee at Nye County Detention Center, submitted a civil rights complaint and filed an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1. Plaintiff's application to proceed *in forma pauperis* is incomplete.

Under 28 U.S.C § 1915(a)(2) and LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3);

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form); and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period.**

Plaintiff failed to submit any of the three required documents. Accordingly, the Court denies Plaintiff's application to proceed *in forma pauperis*, Docket No. 1, without prejudice because the application is incomplete. The Court will grant Plaintiff a one-time extension to file a fully complete application to proceed *in forma pauperis* containing all three of the required documents.

1 Plaintiff must file a fully complete application to proceed *in forma pauperis* on or before
 2 **August 8, 2022**. Absent unusual circumstances, the Court will not grant any further extensions of
 3 time. If Plaintiff does not file a fully complete application to proceed *in forma pauperis* with all
 4 three required documents on or before **August 8, 2022**, this case will be subject to dismissal
 5 without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to acquire all
 6 three of the documents needed to file a fully complete application to proceed *in forma pauperis* or
 7 pays the full \$402 filing fee.

8 A dismissal without prejudice means Plaintiff does not give up the right to refile the case
 9 with the Court, under a new case number, when Plaintiff has all three documents needed to submit
 10 with the application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file
 11 an application to proceed *in forma pauperis* and instead pay the full filing fee of \$402 on or before
 12 **August 8, 2022**, to proceed with this case.

13 The Court will retain Plaintiff's civil rights complaint, Docket No. 1-1, but the Court will
 14 not file the complaint unless and until Plaintiff timely files a fully complete application to proceed
 15 *in forma pauperis* with all three documents or pays the full \$402 filing fee.

16 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma*
 17 *pauperis*, Docket No. 1, is **DENIED** without prejudice to file a new fully complete application to
 18 proceed *in forma pauperis* with all three documents.

19 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
 20 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled
 21 information and instructions for filing an *in forma pauperis* application.

22 IT IS FURTHER ORDERED that, on or before **August 8, 2022**, Plaintiff will either pay
 23 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$53
 24 administrative fee) or file with the Court:

25 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's
 26 approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3);

27 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official
 28 (i.e. page 4 of this Court's approved form); and

1 (3) a copy of the inmate's prison or jail trust fund account statement for the previous
2 six-month period.

3 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to
4 proceed *in forma pauperis* with all three documents or pay the full \$402 filing fee for a civil action
5 on or before **August 8, 2022**, this case will be subject to dismissal without prejudice for Plaintiff
6 to refile the case with the Court, under a new case number, when Plaintiff has all three documents
7 needed to file a complete application to proceed *in forma pauperis* or pays the full \$402 filing fee.

8 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket
9 No. 1-1, but will not file it at this time.

10 IT IS SO ORDERED.

11 Dated: June 8, 2022

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15 Nancy J. Koppe
16 United States Magistrate Judge
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